

**MINUTES OF THE SECOND REGULAR MEETING OF THE TRINIDAD CITY COUNCIL**  
**TUESDAY, JANUARY 26, 2021 (WEBEX)**

**I. CALL TO ORDER**

Mayor Ladwig called the Webex virtual meeting to order at 6:00pm. Council members in attendance: Ladwig, Clompus, West, Grover, Davies. City Staff in attendance: City Manager Eli Naffah, City Clerk Gabriel Adams, City Planner, Trevor Parker, City Attorney Russ Gans, City Engineer Steve Allen, Grant Administrator Becky Price-Hall. Approximately 30 attendees were present online at the beginning of the meeting.

**II. PLEDGE OF ALLEGIANCE**

**III. ADJOURN TO CLOSED SESSION** – Special Closed Session was held. No action to report.

**IV. APPROVAL OF THE AGENDA**

*Move discussion agenda item number 4 to number 3.*

*Motion (Grover/West) to approve the agenda as amended. **Passed unanimously.***

**V. APPROVAL OF MINUTES**

*Motion (West/Grover) to approve the 11-10-2020 cc, 11-24-2020 scc, 12-08-2020 cc, 12-10-2020 scc, and 12-15-2020 cc/ps/str minutes as written. **Passed unanimously.***

**VI. COUNCIL REPORTS/COMMITTEE ASSIGNMENTS**

**Grover:** RCEA met and discussed energy independence projects.

**Clompus:** Summarized the written report submitted and included in the packet. Noted that he would like to see follow up with Pacific Watershed Associates regarding the deliverables promised in the contract for Luffenholtz Creek flow monitoring. Drought-year trend continues.

**Davies:** Nothing to report.

**Ladwig:** RREDC has given out 1.2 million in economic stimulus loans to local businesses affected by Covid closures.

**West:** HCAOG discussed regional housing needs (REAP).

**VII. STAFF REPORTS – City Manager & Law Enforcement**

City Manager Eli Naffah noted that the Staff Activity Report will be included on the February 09 meeting agenda.

**HCSO Lieutenant Kevin Miller** reported on annual stats for police activity in the Trinidad area. **Clompus** requested the annual stats be sent to the Council for review.

Resident **Anita Thompson** requested an incident she experienced be included in the November stats.

**VIII. ITEMS FROM THE FLOOR**

*(Three (3) minute limit per Speaker unless Council approves request for extended time.)*

**Dorothy Cox** – Trinidad

How can we get rid of the RV's parked at the Caltrans Park & Ride?

**Ross Ward** – Bayside

Does the City have any plans to develop an ordinance regulating Short-Term rentals?

**IX. CONSENT AGENDA**

1. Staff Activity Report – (postponed until February 09 meeting).
2. Financial Statements – November 2020
3. Law Enforcement Report – December 2020
4. Letter of Permission from the Trinidad Rancheria for Removal of Outfall Pipe at Launcher Beach.

*Motion (West/Davies) to approve the consent agenda items 1-4, and pull 5 & 6 for discussion. **Passed unanimously***

5. Authorize SHN Agreement for CA Housing & Community Development LEAP Grant. - Pulled from Consent  
**Councilmember Davies** requested clarification regarding the compensation not-to-exceed amount included in the contract. Concerned that there isn't a number included that the City would pay. **City Planner Parker** explained that the number is included at the bottom, \$54,500.

*Brief weather-related power outage interrupted the meeting.*

**Davies** continued, asking how will the income allocations be targeted? **Parker** explained that the Housing Element Updated addressed this last year, but Trinidad didn't get the full benefit due to not participating in that process when it occurred. The City just needs to show that the land is available, and the CA Department of Housing has certified our Housing Element. Parker further explained that the LEAP Grant will complement the SB2 Grant, that will take another look at the ADU Ordinance and a Parking Study – both being required by the Coastal Commission.

No public comment.

*Motion (Davies/Clompus) to approve the SHN Agreement for CA Housing and Community Development LEAP Grant with adjustments made to include total compensation in both areas of the contract. **Passed unanimously.***

6. Discussion/Decision regarding GHD Agreement for Local Road Safety Plan Funding – Pulled from Consent  
*This item was pulled from Consent for discussion, but the meeting ended due to power outage and the item was continued to the February 09 meeting.*

*(55 attendees participating in the meeting)*

#### **X. DISCUSSION/ACTION AGENDA ITEMS**

1. Discussion/Decision regarding Revised Water Shortage Contingency Plan  
City Planner Trever Parker explained that as directed at the last meeting where this item was discussed, the Water Shortage Response Team (WSRT), minus the City Council representative, is the responsible body for hearing and deciding exception requests. A Planning Commission representative has also been added to the WSRT.

Although not directed to do so, she also added the City Planner as a potential member of the WSRT for discussion. She didn't originally include that position because she is not a particular expert on the City's water system, though she has been learning much recently. However, she is involved in water planning issues in general, and the City will be developing policies and regulations for incorporating water use into permit review procedures and findings in the next year or two. So, the Planner will be more involved in water use in the future. She is not advocating one way or the other. That is up to the Council to decide.

Other than that, a few minor corrections were made. The Council had more time to review the WSCP and may have additional questions or corrections. Once the WSCP is adopted, the next step will be for staff to draft an ordinance (or revise the existing water rationing ordinance) to implement the WSCP.

Council comment included:

**Clompus:** Does this mean that once adopted, the current Water Shortage Drought Committee would be dissolved? **Parker** explained that the WSCP would need to be adopted by ordinance first.

**West:** Complimented staff's work on this.

**Ladwig:** Support including recommendation by the City Planner to be included in the WSCP Team.

Public comment included:

**Bryce Kenny** – Trinidad

Hope we never need the plan, but glad it's there in case we do. Commended everyone that worked on the document.

*Motion (Clompus/West) to adopt the WSCP and direct Staff to draft an ordinance to implement it. **Passed 4-0.***  
***Grover unable to vote due to technical issues.***

2. Discussion/Decision regarding Participation in Feasibility Analysis to Extend HBMWD Service to Trinidad.  
**Mayor Ladwig** explained that the Council received up to 100 forms of communication and input regarding this topic. At this point, the Council is only discussing participation in a feasibility study – not to connect or develop a water pipeline to Trinidad. Comments should be focused on whether or not to participate in this study. HBMWD Director John Friedenbach is in attendance to provide clarity on this request.

**City Manager Naffah** explained in his staff report that the City of Trinidad has been approached by the Humboldt Bay Municipal Water District (HBMWD) to determine interest in participating in a feasibility analysis to ascertain the merits of extending their water supply to the City. HBMWD currently provides water to McKinleyville, and has been requested to determine an extension to the Trinidad Rancheria.

As per the letter received from General Manager John Friedenbach, HBMWD water is a possible source of water resilience and a viable alternative for the City. As witnessed during this past summer and fall, as well as in past years, the flow rate from Luffenholtz Creek can get very low. It behooves the City to not always rely on Luffenholtz Creek, but to have an alternative water source for the future. Unfortunately, climate change is uncertain and the frequency of rain could get even less.

The concern of rampant development is not realistic, especially for the City of Trinidad. The City is only a square mile and has very few undeveloped parcels. On top of that, a City has control over its own development and can limit future development through zoning and planning.

Water is an integral part of any city's viability, and it makes sense to responsibly plan and have alternatives for the future. We can't leave ourselves high and dry. General Manager John Friedenbach and HBMWD Board President Sheri Woo are present to help answer questions. For a feasibility analysis, it is estimated that our staff time and gathering information from past studies that the City commissioned would be the bulk of our cost of the analysis. GHD/Winzler & Kelly had completed several studies in the early 2000 and 2010 that are relevant and can be utilized for this study.

**Friedenbach** explained that HBMWD has been approached by the Trinidad Rancheria to extend water to their tribal land. The City has commissioned several feasibility studies over the last few decades and no new pipeline came out of those studies. The cost to the City would be, as Naffah explained, in staff time compiling historical information/analysis, etc., thereby minimizing the costs. Current studies analyzing the City's current status would be helpful as well. Westhaven CSD declined to participate. They have, however, said that they may want to connect at no cost to a pipeline for fire protection, which is very unlikely as pipelines are sized to support a specific need – not an unlimited or unknown supply. Regarding hard costs, the Council may choose to direct staff to begin with a limited budget of \$5,000 and continue or suspend participation as desired. The City Manager's report to the Council was very thorough.

Council questions included:

**Clompus:** If Trinidad were to agree to a certain diameter pipe, based on the need of the number of City residents, why would there be excess water for rampant development elsewhere?

**Friedenbach** confirmed that the size of the pipe will fit the original need. The only way excess water would be available was if extreme conservation measures were practiced. Further, development restrictions in both the City and County would control and restrict water distribution and development through planning and zoning.

**Davies:** Should this come to fruition, would the water be raw? Planning to deliver water to the Trinidad Rancheria does not include additional developments to the north or east of Westhaven, correct?

**Friedenbach** confirmed that the water delivered would be potable, and yes, anyone that did not participate in the feasibility study would not be served by the pipeline.

**West:** If the pipe was sized for only the City, we would still have to provide water to our customers outside the City limits. Would this pipeline change our controls over distribution?

**Friedenbach** confirmed that if the distribution line extends outside the City limits, the County would control or limit accessibility to that water.

**Ladwig:** When HBMWD supplies water to a municipality, is the amount of water limited to its use, or is there an ability for the municipality to re-sell water to anyone outside its district. Regarding resiliency, Luffenholtz has been able to provide water to the City without fail. Is there a possibility of HBMWD to provide a pipe for use only when needed? Is there a price for having it as a backup?

**Friedenbach** stated that re-sale to another agency would constitute a change of use, and LAFCO would regulate that. One of the steps in the feasibility study would be to discuss this with the State Water Board. Regarding availability of water, we don't contract for definite amounts of water with each municipality. We use complicated formulas to allocate cost equitably to each respective agency. City of Eureka pays the majority of our costs. Manila pays the least amount, based on volume and formulas that our ordinance describes.

Regarding providing a backup supply, water goes stagnant if you don't flush the pipes. We also don't have a rate structure for a backup water supply, but that could be discussed.

**Grover:** The more information I have, the better decision I can make. Would this feasibility study focus only on the pipeline, or would it include rain catchment as well?

**Friedenbach** explained that it would only focus on the pipeline, but the study would be a useful tool for comparisons with other options.

**City Engineer Steve Allen** noted that it would be hard to determine the exact cost, but compiling existing reports should require minimal effort (hundreds of dollars, not thousands). From a technical perspective, more options are ideal and it makes sense to have as much information as possible.

Public comment included:

**Dwight Miller** - Trinidad

Listen to CITY residents tonight. In the last 15 years we've had three near-drought events. We need to plan for the future. Climate change is unknown. We have the opportunity to have very clean water without the October drought surprises each year. We should seriously consider participating in this study. Don't worry about uncontrolled development. There are many ways to control development.

**Anita & Norman Thompson** – Trinidad

We support participation in this feasibility study due to long-term drought concerns and fire safety. I'm surprised that our community is not more concerned with the magnitude of this issue. Climate change has arrived in Humboldt. Obtaining information does not obligate anything, but refusing to gain valuable information is unwise.

**Steve Madrone** – Trinidad Area, current 5<sup>th</sup> District County Supervisor

Began by introducing his personal, professional, and residential resume, and continued by offering free advice. He described the recent Homan Subdivision near College Cove as an example of how the lack of public water and sewer reduced the number of units approved by the County and helped avoid people pooping in each other's wells. People have a right to have a reliable and resilient water supply, and this can be done without growth-inducing infrastructure. It's not so much that people are afraid of growth within the City limits, but if there was water available, there could be more density created outside the City limits. You take my water off my land, and I take my forest stewardship seriously. This has already been studied in 2001, 2008, and again in 2012, 2015, and 2019. In 2001 the estimate was 1.2 million. By 2008 they realized a pump station and chlorination facility would increase the cost to 5 million. It could easily be over 10 million now and your rates will go up. The City should spend its money analyzing my gravity flow spring system concept, and consider an inter-tie in with Westhaven CSD. Use grant funding to fix leaks and provide storage tanks for fire safety. There are tons of recommendations available to improve your resiliency, and you don't need Mad River water.

**Bryce Kenny** – Trinidad

This idea has been kicked around since 1996 and over again, and the answer has been no. Trinidad has been able to provide for itself. There's no doubt it's feasible, but the question is do we need and/or want it. Madrone is familiar with the hydrology, and people like the rural nature of this area. Once the pipe gets here, eventually the size will grow. It's a slippery slope. There are easier things to do now – like link up with Westhaven. WCSD had the right idea and said no thanks.

**Ross Ward** – Bayside

Echoed the comments of Madrone and Kenny. Getting water will increase development.

**Kim Tays** – Arcata

Passionate about protecting Trinidad's character. San Diego changed dramatically over the years and I'm against the feasibility study. The water line will lead to lots of development, a hotel on the Rancheria, and I love Madrone's suggestions. I think STR's use 5-10 times more water than I do. California belongs to me too.

**Megan O'Brien** – McKinleyville

Maintain the precious nature of Trinidad for future generations. The feasibility study is driven by the Hotel project and has regional implications. Urge elected officials to think about future impacts.

**Katrine Homan** – Trinidad Area

My husband and I own the property that Madrone spoke of earlier. All the information that Madrone stated about our project is filled with false information. I am in support of the feasibility study because it's important to have correct information. There were several suggestions proposed tonight, and the feasibility study is a secure and professional way to gain valuable information to your decision-making process.

**Shirley Laos** – Trinidad Rancheria

I attend all the City Council and Planning Commission meetings. This agenda item is not driven by the Trinidad Rancheria. Within the past few years, both the City Council and Planning Commission identified HBMWD as an option to be considered.

**Written Correspondence** Included approximately 60 letters from individuals residing mostly outside the City limits and in other surrounding cities and communities were compiled in a digital packet archived with the packet on the City website.

Council comments included:

**Clompus:** As one of the newest members of the Council, I'm both honored and humbled at every meeting. Part of my work on the Water Committee involved researching the 2008 study to connect to Humboldt Bay, as well as other reports to improve storage and distribution. None of the recommendations were implemented. We're now here in 2021, and I look at all these options. What do we as a City want to do to ensure we have a clean reliable water source? Getting a feasibility study at a low cost seems like a good option. If we don't do anything again, it could end up being a catastrophe in the future. Supporting the feasibility study simply makes sense.

*West expressed concern that many participants were kicked off the webex and requested a brief pause to allow everyone to sign back in. Mayor Ladwig and Councilmember Davies explained that West was the only one experiencing the technical difficulties. After a brief pause, the meeting resumed...*

**Davies:** I believe the City needs to pursue localized ways to improve the water supply. I find it hard to believe that a water line delivered by HBMWD would only end up serving the City. I have yet to see a solid argument that this wouldn't be a growth-inducing project. We should pursue the options proposed by Madrone.

*Motion (Davies/West) To Move to refuse participation in the feasibility analysis conducted by and between the HBMWD and the City of Trinidad.*

*West continued to experience technical difficulties and was making phone calls to other Councilmembers un-muted, but visible to the public.*

**Grover:** I'm a proponent of smart growth, and I don't see any downside to participating in this study. I support having more knowledge and support the study.

**West:** I'm having technical difficulties and have to sign out and sign back in. I have no idea what's been said.

*The meeting paused for a few minutes while West tried rejoining. He apologized for the interruption and missing a good portion of the discussion. West seconded the motion made by Davies.*

**West:** I've never seen so many letters from the community and although I think it's a good idea, I would like to see the money spent on some of Madrone's ideas. This might get pushed through now, but shot down later. I'm scared to let it go, but I'd like to spend the money in other ways.

**Ladwig:** I want to recognize the comments in favor of a feasibility study, as they come in the face of our health and wellness living in this community. However, we have the opportunity to be a model community and live within our means....

*Another meeting interruption due to a short power outage. Power returned after 5 minutes.*

**City Attorney Russ Gans** explained that if necessary, the discussion can be tabled and continued.

**Ladwig** reconvened the meeting as each member of the Council joined back in, and re-read the following motion on the table for consideration:

*Motion (Davies/West) To Move to refuse participation in the feasibility analysis conducted by and between the HBMWD and the City of Trinidad.*

**Motion passed by the following vote: (3) Yes – Davies, Ladwig, West. (2) No – Grover, Clompus.**

*Due to the technical difficulties caused by several power outages in the area, the Council agreed to postpone the remainder of the meeting (items listed below) to February 09:*

3. Discussion/Presentation regarding Downtown Pedestrian Improvement Project.
4. Discussion/Update on Urgency Ordinance STR Moratorium Status
5. Discussion/Decision regarding Selection of Mayor.
6. Discussion/Decision regarding Council Committee Assignments
7. Discussion/Decision regarding Planning Commissioner Appointments
8. Discussion/Decision regarding Trails Committee Assignments

#### **FUTURE AGENDA ITEMS**

- None at this time

#### **ADJOURNMENT: 8:40pm.**

**Submitted by:**

\_\_\_\_\_ signed copy on file \_\_\_\_\_  
**Gabriel Adams**  
Trinidad City Clerk

**Approved by:**

\_\_\_\_\_ signed copy on file \_\_\_\_\_  
**Steve Ladwig**  
Mayor